



METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL 510.817.5700
TDD/TTY 510.817.5769
FAX 510.817.5848
E-MAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Memorandum

TO: Commission

DATE: May 21, 2008

FR: Legislation Committee

W. I.: 1131

RE: Committee Recommendations

The Legislation Committee met on May 9 and referred three items to the Commission.

1. **AB 2650 (Carter)** extends until 2010 the state's existing limited waiver of its "sovereign immunity" from lawsuits, thereby enabling Caltrans to continue its assumption of National Environmental Policy Act (NEPA) responsibilities under an ongoing federal pilot program. Also, the bill extends to January 2009 the date by which Caltrans must report to the Legislature with a comparison of the environmental review process with and without the NEPA delegation progress, and adds a second reporting date of January 2010.

Committee Recommendation: Support and seek an amendment to include language stating that Caltrans should give equal priority to environmental review of local or regional transportation projects.

2. **AB 3034 (Galgiani)** is urgency legislation to update and expand upon provisions of the Safe, Reliable High-Speed Passenger (HSR) Train Bond Act for the 21st Century, the \$9.95-billion general obligation bond measure slated to appear on the November 2008 ballot. Among other things, the bill would make the Altamont rail corridor connecting the Central Valley to the East Bay eligible for the state high-speed train bond money and establish that provisions in the bill would not prejudice the Authority's selection of the alignment from the Central Valley to the Bay Area.

Committee Recommendation: Support and seek amendments: 1) to include an additional \$2 billion in the portion of the bond for connectivity to the HSR line, and 2) that the connectivity improvements in the Bay Area be as defined by MTC.

3. **Gas Tax Holiday** — Proposals by two presidential candidates to suspend the 18.4-cent-per-gallon federal excise tax on gasoline for this summer's travel season are under consideration in Washington. Such a moratorium this summer would amount to an estimated \$9 billion loss to the Highway Trust Fund. The Legislation Committee opposed such a moratorium and, using the Commission's urgency procedures, authorized staff to convey this opposition to the Bay Area congressional delegation immediately, given the time sensitive nature of the issue. A copy of the letter to House Speaker Nancy Pelosi is attached.

Committee Recommendation: Ratify oppose.

Attachment

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